

REGULAR SESSION RUSH COUNTY BOARD OF COMMISSIONERS FEBRUARY 28, 2011

The Rush County Board of Commissioners met in regular session, Monday, February 28, 2011 with Commissioners, Tom Barnes, Marvin Cole, Ken Masters, Deborah Adams, Auditor, and Leigh Morning, County Attorney in attendance.

Commissioner Tom Barnes called the meeting to order, Marvin Cole made the motion to approve the minutes of the February 14, 2011 meeting as presented. Ken Masters seconded the motion. Motion carried.

WESTERN RUSH COUNTY SEWER DIST.

Jeaniene Scheidler of First Financial appeared before the commissioners to receive approve and secure signatures of the loan documents for the Western Rush County Sewer District. Ken Masters made the motion to approve and sign the documents. Marvin Cole seconded the motion. Motion carried.

COURTHOUSE

Judge Brian Hill of Superior Court appeared before the commissioners to discuss plaster maintenance issues at the north end of the Superior Court room. Tom Barnes informed Judge Hill that he and Toby Gilliam had discussed the situation in detail. Judge Hill reported that the courtroom will be closed from March 17 until March 27.

Judge Hill brought to the commissioners attention the Pubic Defender's outside window ledge. Judge Hill reported that it is covered with at least two inches (2") of bird droppings. The commissioners shared that this is a problem surrounding the whole courthouse and they did share the cost that they have researched on the cleanup.

Judge Hill asked that the commissioners meet with him and Judge Northam regarding establishing a long range plan for long term maintenance issues of the courthouse. The commissioners shared that they were agreeable to this long term planning.

Tom Barnes reported in other courthouse business. Barnes reported on sewage problems and odors within the courthouse. Barnes reported that after having the courthouse smoked the problem has been discovered and will be addressed. Barnes also outlined that the tile drains will be properly connected into the drain sewers during the Main Street project.

I-T

Randy Herbert, I-T Technician, reported that the E-911 IN-Digital software has been successful installed.

Herbert reported that the Spilman 4.6 was update on the server. He along with Ron Jarman has the video server up and running in the jail. Herbert noted that he is currently working on the installation of the Webinar video server for the assembly room

Herbert reported that the continued phone bill of the cancelled phone of Rob Puckett was left over billing following the cancellation.

EMPLOYEE INSURANCE

Ken Rushton and Kyle Dafler of AFLAC to discuss Continental American Insurance Company as another option of insurance for county employees. The commissioners referred them to the Health Insurance committee for recommendation.

Jerry Sitton, Chairman of the Health Insurance Committee, had two amendments that the committee recommended to be adopted as part of the County Plan documents.

Amendment Number #1 Plan Document includes part-time elected officials such as commissioners and council that do not work the thirty-five (35) weekly hours. Ken Masters made the motion to approve and sign Amendment Number 1 to the Plan Document and Summary Plan Description.

Amendment #2 amends the current Prescription Drug Plan for the inclusion of special coverage of smoking cessation services. Ken Masters made the motion to approve and sign Amendment Number #2 to the Plan Document and Summary Plan Description. He added that he did not want to be as forceful as Marvin Cole and toss the smoking cessation. Jerry Sitton explained that some employees have tried everything to stop smoking and it has not worked. If this works through the wellness program then it will be worth it. Marvin Cole seconded the motion. Motion carried.

HIGHWAY

Jerry Sitton, Highway Superintendent, had nothing to report.

SHERIFF

Jeff Sherwood, Sheriff, reported thirty-three (33) inmates incarcerated in the Rush County jail. Six (6) inmates are sentenced and twenty-seven (27) are pre-sentenced.

The commissioners asked Sherwood if it were possible to provide inmate trustee's if Toby Gilliam needed assistance with the plaster maintenance in the superior courtroom. Sherwood indicated that he would probably be able to work around their schedule.

Sherwood brought before the commissioners the title for the 2007 Ford Crown Victoria that was recently totaled in an accident. Sherwood asked the commissioners to sign off on the title. Marvin Cole made the motion to sign the title. Ken Masters seconded the motion. Motion carried. Deborah Adams reported that \$7,000.00 had been received from Downey Insurance for the totaled vehicle. Adams explained that the money was returned back to the appropriation within the sheriff's budget.

AREA PLAN COMMISSION

Bill Todd, Area Plan Director, came before the commissioners for the 9:30 a.m. hearing of the Rosemary McCallister Estate. The petition for the parcel located in Posey Township is currently zoned manufacturing and commercial. The petitioner is requesting that the parcel be rezoned to Agricultural-1. Todd reported the Area Plan Commission gave a favorable recommendation. Ken Masters made the motion to approve the rezoning to Agricultural-1. Marvin Cole seconded the motion. Motion carried. Ken Masters made the motion to close the hearing. Marvin Cole seconded the motion. Motion carried.

Todd reported that he had received notice from a vendor regarding a fly over of the county. Todd reported that Vectrin of Cincinnati had contacted him and a GIS meeting has been called for Friday.

Deborah Adams spoke briefly of the state doing a fly over during 2011 and that buy-ups were also discussed. Tom Barnes reported that Air Quest had contacted him and he had submitted it to Marvin Rees.

AUDITOR

Deborah Adams, Auditor, received approval of payroll for the pay period ending March 4, 2011 on a motion by Marvin Cole. Seconded by Ken Masters. Motion carried.

Bi-weekly claims for the period ending February 22, 2011 on a motion by Ken Masters. Seconded by Marvin Cole. Motion carried.

The Surety bond for Samantha Estes, Deputy Clerk, was approved on a motion by Marvin Cole, Seconded by Ken Masters. Motion carried.

Adams updated the commissioners on the action from when the City of Rushville had requested back in January transfer of ownership of two parcels #70-11-06-278-025.000-011 located at 223 N Main Street Rushville and parcel #70-07-31-477-005.000-011 located at 321 W 7th St Rushville. Adams reported that the Tax Sale Certificate has been prepared for assignment back to the City of Rushville upon their approval. Ken Masters made the motion for Adams to sign the Tax Sale Certificate's to assign the two parcels over to the City of Rushville. Marvin Cole seconded the motion. Motion Carried.

Adams reported that her payroll department is having problems with Anytime Fitness with the reconciliation of statements and receiving timely monthly statements. Adams noted that the contract is up for renewal in April and that there are currently twelve (12) employees participating in the payroll deduction. The commissioners instructed Adams to send a letter to Anytime Fitness outlining their displeasure and to contact the employees.

Adams reported that her staff has been waiting for a week for the Surveyor to turn over the ditches to be calculated and balanced. Adams noted that this has now placed her office behind as she was to have taxes calculated and turned over to the treasurer March 1.

OTHER PUBLIC CONCERNS

John Saxon, of Homer, addressed the commissioners regarding the discussion held during their February 14, 2011 commissioner meeting with Area Plan Director Bill Todd. Saxon's concerns were that Todd had proposed that the county commissioners adopt new an ordinance of building standards. Saxon reported that he had contacted Mara Snyder who is the Director of Legal and Code Services, within the Indiana Department Homeland Security.

Saxon informed the commissioners that Snyder informed him that since 2001 only 27 of the 92 counties has adopted new ordinances. Saxon stressed that this is not the 80 of the 92 that Bill Todd and alluded to during the February 14, 2011 meeting.

Saxon asked the commissioners to cease all discussion on the adoption of a county ordinance of building standards.

Tom Barnes informed Saxon that during the February 14, 2011 meeting the commissioners made the motion to take the matter under advisement. Public meetings and a hearing would also have been held to gather information and hear public comment. Barnes informed Saxon that the commissioners do not hire Bill Todd. The Area Plan Commission hires Bill Todd and Todd is only a county employee.

Barnes concluded that the state document is way out in left field and is just an example. Ken Masters and Marvin Cole stated that they both fully agreed with Tom Barnes.

Motion to adjourn was received from Ken Masters. Marvin Cole seconded the motion. Motion carried.

/s/Tom Barnes
Tom Barnes, Chairman

/s/Marvin Cole
Marvin Cole

/s/Ken Masters
Ken Masters

ATTEST:

/s/Deborah C. Adams
Deborah C. Adams, Auditor